

**Attachment 1**  
**Request for Special Temporary Authority**

XRS Corporation (“XRS”) is the licensee of satellite earth station E900081, pursuant to which XRS is authorized to operate up to 19,000 half-duplex mobile earth terminals (“METs”) in the upper L-band via the MSAT-1 (Canadian licensed), MSAT-2 and SKYTERRA-1 satellites until September 30, 2013.<sup>1</sup> In the instant application, XRS respectfully requests special temporary authority to continue to operate its authorized METs for an additional sixty days, from September 30, 2013 through November 29, 2013.

In early 2009, LightSquared Subsidiary, LLC (“LightSquared”) (formerly, a subsidiary of SkyTerra Communications, Inc.) proposed to require XRS to migrate its operations from the lower L-band to the upper L-band in anticipation of the launch of LightSquared’s second generation satellite, SKYTERRA-1 (which launch was, at the time, scheduled for late 2009). XRS initially was required (pursuant to a timetable established by LightSquared) to begin transitioning its customers to the upper L-band as early as November 1, 2009. Consequently, in August 2009, the FCC authorized XRS to operate in the upper L-band for a two-year term beginning on October 1, 2009 and terminating on September 30, 2011.<sup>2</sup> Thereafter, due to a delay in the launch and testing of LightSquared’s SKYTERRA-1 satellite,<sup>3</sup> XRS requested and

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<sup>1</sup> See SES-MOD-20110722-00850 (authorizing operation of 19,000 half-duplex METs in the upper L-band). XRS (through its predecessors) historically was authorized to operate 50,100 half-duplex METs in the lower L-band via the MSAT-1 (Canadian licensed) and MSAT-2 satellites. XRS no longer operates in the lower L-band, and has migrated all of its METs to the upper L-band for operations pursuant to its FCC authorization.

<sup>2</sup> See File No. SES-MFS-20090313-00302 (extending XRS’s authority to operate up to 30,000 METs in the upper L-band).

<sup>3</sup> At the time, XRS sought to extend its upper L-band authority for twenty-four months only, from September 30, 2011 through September 30, 2013. This request was consistent with the NTIA’s recommendation that waivers of Footnote 308 (as defined herein) be limited to two years. See Letter to Julius Knapp, Chief, Office of Engineering and Technology, FCC from Karl Nebbia, Associate Administrator, Office of Spectrum, NTIA (May 13, 2009) (“NTIA Letter”). However, because Lightsquared had authorized it to operate in the upper L-band throughout the entire emulation period scheduled by LightSquared for SKYTERRA-1 (which was then scheduled to

obtained authority from the FCC to extend its upper L-band authorization to enable it to operate 19,000 METs for an additional two-year period, until September 30, 2013.<sup>4</sup>

Since the time the FCC last evaluated XRS's operations, XRS has continued to reduce its reliance on upper L-band spectrum for the limited number of METs currently in operation. Nevertheless, XRS anticipates that it will be unable to cease operation of all of its METs before September 30, 2013, the date on which XRS's upper L-band authorization presently is scheduled to expire. Accordingly, on July 18, 2013, XRS filed an application requesting that the FCC modify its upper L-band authorization to extend the term for an additional two years, through September 30, 2015 ("Extension Application").<sup>5</sup> The Extension Application was accepted for filing and placed on Public Notice on July 31, 2013.<sup>6</sup> To XRS's knowledge, no petitions to deny, petitions to defer, or objections were filed against the Extension Application. However, to date, the International Bureau has not acted on the Extension Application. Accordingly, XRS respectfully requests special temporary authority to operate its presently authorized METs for an additional sixty days, beginning on September 30, 2013. Grant of the instant application is in the public interest because it will enable XRS to continue to provide service to its customers while the Extension Application remains pending.

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end on December 31, 2014), XRS noted in its application to the FCC that it was possible that an additional extension of the term of the upper L-band authorization beyond September 30, 2013 may be necessary in order to enable XRS to access SKYTERRA-1 throughout the emulation period. *See* Attachment B to FCC File No. SES-MOD-20110722-00850.

<sup>4</sup> *See supra* at note 1.

<sup>5</sup> *See* File No. SES-MOD-20130718-00644. LightSquared has agreed to permit its current customers, including GeoLogic, to continue to operate in the upper L-band using their current devices throughout the emulation period, which is currently scheduled to run through the end of 2015. *See* Press Release, LightSquared Announces Extension of Emulation on its Skyterra-1 Satellite Network for Existing Customers (March 6, 2012) (available at <http://www.lightsquared.com/press-room/press-releases/lightsquared-announces-extension-of-emulation-on-its-skyterra-1-satellite-network-for-existing-customers/>).

<sup>6</sup> *See* Public Notice, Report No. SES-01572 (rel. July 31, 2013).